

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 2:08-CR-38
)	
JUAN CERVANTES-CORONADO)	

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's second motion for a continuance of the trial [doc. 315]. Counsel for the defendant states that she was recently appointed, that her client is being housed in a county jail some distance from her office, and that she recently received discovery relevant to her client's case. For these reasons, counsel states that additional time is needed to consider the new discovery and prepare for trial or other disposition of this case. The government does not oppose the defendant's motion.

The court finds the defendant's motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the defendant's motion would deny counsel for the defendant the necessary time to investigate this case and prepare for trial or other disposition of the charges. 18 U.S.C.

§ 3161(h)(8)(B)(iv). The defendant's motion requires a delay in the proceedings, therefore, all the time from the filing of the defendant's motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

Therefore, it is hereby **ORDERED** that the defendant's motion is **GRANTED**, and this criminal case is **CONTINUED** to October 20, 2009, at 9:00 a.m. in Greeneville.

ENTER:

s/ Leon Jordan
United States District Judge